

LUNENBURG PLANNING BOARD

TOWN OF LUNENBURG

Emerick R. Bakaysa, Chair
Joanna L. Bilotta, Vice-Chair
Thomas W. Bodkin, Jr., Clk.
Robert J. Saiia, Mbr.
Nathan J. Lockwood, Mbr.
Marion M. Benson, Planning Director



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Minutes
Public Hearing
Powell Stone & Gravel Co., Inc., 151 Leominster Shirley Road
May 23, 2011

Meeting Posted: Yes

Time: 6:30 PM

Place: Town Hall, 17 Main Street, Lunenburg, MA 01462

Present: Emerick R. Bakaysa, Chair, Joanna L. Bilotta, Vice Chair, Robert J. Saiia, Thomas W. Bodkin, Jr., Nathan J. Lockwood, Marion M. Benson, Planning Director

Chair opened the Public Hearing with the reading of the legal notice advertised in the Sentinel & Enterprise, May 9 and May 16, 2011. The Public Hearing was to hear and discuss an application for a Development Plan Review under Section 8.4. and Special Permit under Section 4.7. of the Protective Bylaw of the Town of Lunenburg to erect a garage and office under the Office Park & Industrial District at 151 Leominster Shirley Road.

Jesse Johnson, P.E., David E. Ross Associates, Inc. (Designing Engineer) represented the Applicant- Powell Stone & Gravel Co., Inc.

The undeveloped site consists of approximately 11.36± acres. The site is bordered on the west by Commercial zoning and on the east by Office Park & Industrial zoning. The site itself is zoned Office Park & Industrial. Wetlands associated with a depressed area are located toward the back of the site and a perennial stream is located on the east side of the site. There are buffers associated with the perennial stream. There are three storage detention basins located on site which will allow for even infiltration. Water will be provided from an on-site well as distance to public water hookup is cost-prohibitive. Sewage disposal will also be on-site. To access the center of the site, an access road is located on the western side of the site, as far from the perennial stream as possible. There are a total of 24 parking spaces. Sixteen spaces are located adjacent to the office for staff and visitors (including one handicap space), and eight spaces are located adjacent to the garage for staff. The front of the building will face the street. A proposed tree line will screen the site from the street and abutting properties. Garage access will be by pavement going across the rear of the garage. A gravel storage area will be located beyond the pavement. Site is for storage only, no retail. Retail landscaping business will remain at current location of 259 Leominster-Shirley Road. Due to nature of the operation, drainage standards are within both State and local stormwater guidelines.

Mr. Saiia questioned as to height of storage. Mr. Johnson responded that the Applicant is cutting into the existing fill to lower the grade with a finished pitch of approximately 1%.

Ms. Bilotta inquired as to the Office Park & Industrial abutter to the east. First Buckeye Corporation – undeveloped and landlocked.

Mr. Marsden, Reviewing/Peer Engineer for the Planning Board noted his review report of May 20th, which stated in part, that the Applicant was requested to approach the abutter to explore the possibility of an emergency access; to which the abutter responded no. The Plan was in compliance, but he was requesting some minor bookkeeping corrections. The Applicant was requested that prior to construction, a 1) Notice of Intent (NOI) be filed with the Environmental Protection Agency (EPA), 2) a Stormwater Pollution Prevention Plan (SWPPP) be prepared, and 3) the Applicant address the issue of floor drains interior to the building and subsequent wastewater holding tank, and compliance be shown. Mr. Marsden also noted drainage calculations

were in compliance, but requested, for completeness of record, in the drainage narrative standard #4 to adjust the TSS Removal Calculations to show the sediment forbay credit, and provide adjusted TSS calculation sheets identifying the sediment forbay credit to show compliance with 44% removal prior to recharge.

Mr. Bodkin Jr., inquired as to an emergency access. Mr. Marsden responded, as above, that the Applicant was requested to approach the abutter to explore the possibility of an emergency access; to which the abutter responded no. (This was requested by both Fire and Police Chiefs, but is not a requirement.)

No proponents or opponents.

Mr. Lockwood noted a past Planning Board discussion regarding the development of an additional wellhead in Town. Did that affect this site?

Mr. Bakaysa noted well was for the Water District and located on the Keating property.

Mr. Marsden reiterated that floor drains in the building must go into a holding tank.

Ms. Benson noted Board of Health Finding #23b that states in part, *"floor drains will require an industrial waste holding tank."*

Mr. Bakaysa read Findings into record.

1. The Lunenburg Planning Board finds that applications for a special permit and a development plan review were submitted on April 22, 2011 for 151 Leominster Shirley Road, Map 146, Parcel 0027.
2. The Lunenburg Planning Board finds that the owner of the property is PSG Realty 393-435 LLC, 259 Leominster Shirley, Lunenburg, MA, 01462.
3. The Lunenburg Planning Board finds that the applicant is Steve Powell, Powell Stone & Gravel Co., Inc., 259 Leominster Shirley Road, Lunenburg, MA 01462.
4. The Lunenburg Planning Board finds that the subject land, Map 146, Parcel 0027 is zoned Office Park & Industrial.
5. The Lunenburg Planning Board finds that the submittal, site plan L-11632, was prepared by David E. Ross Associates, Inc., 111 Fitchburg Road, P.O. Box 368, Ayer, MA 01432. Jessie Johnson, P.E., David E. Ross Associates is point of contact on the project.
6. The Lunenburg Planning Board finds the project is on an undeveloped parcel of approximately 11.36 acres containing meadow grasses, deciduous and conifer forest, bordering vegetated wetland and a perennial stream with associated resource buffer zones.
7. The Lunenburg Planning Board finds the 100- and 200- foot resource areas associated with the perennial stream will be protected in accordance with CMR 310 and that permanent disturbance will be limited to less than 10% of the total area as allowed.
8. The Lunenburg Planning Board finds the proposed building will consist of 24,000 sq. ft. of garage space and 2,100 sq. ft. of office space.
9. The Lunenburg Planning Board finds the garage space will be used to store and maintain trucks for existing construction and landscape supply business.
10. The Lunenburg Planning Board finds the office space will be for employees of the construction business.
11. The Lunenburg Planning Board finds paved access and parking will be provided for the building. The number of spaces is twenty four (24), one of which is handicapped.
12. The Lunenburg Planning Board finds a gravel surfaced area for storage of the construction and landscape products will be provided.
13. The Lunenburg Planning Board finds the project will have an on-site sewage disposal system and an on-site well for water supply installed according to local and state regulations. There will be no connection to public or private water utilities due to distance from project that makes a connection cost-prohibitive.
14. The Lunenburg Planning Board finds an Environmental Impact Statement (EIS) was provided.

15. The Lunenburg Planning Board finds calculation of traffic based on Institute of Transportation Engineers (ITE) Trip Generation, 7th Edition, Land Use Code 110, "Light Industrial" land use code, which is closest to proposed use.
16. The Lunenburg Planning Board finds calculations of 46.3 and 51 trips during A.M. and P.M. peak hours respectively, applied over a one hour period.
17. The Lunenburg Planning Board finds the project would potentially increase overall daily traffic by approximately 4.6% along Leominster-Shirley Road.
18. The Lunenburg Planning Board finds the project will be an expansion of the applicant's similar operation located down the road on Leominster-Shirley Road. The proposed project will lessen truck traffic to that location.
19. The Lunenburg Planning Board finds stormwater controls have been designed in conformance with the Massachusetts Stormwater Guidelines and that a Stormwater Management Report has been submitted.
20. The Lunenburg Planning Board finds a long term pollution prevention plan has been developed in conformance with the National Stormwater Pollution Discharge Elimination System (NPDES Phase II) program requirements.
21. The Lunenburg Planning Board finds that the project does not require State approval for entrance and exit to the project.
22. The Lunenburg Planning Board finds the Reviewing Engineer for the Planning Board was Marsden Engineering, P.O. Box 509, Lunenburg, MA 01462.
23. The Lunenburg Planning Board finds that the submittal was reviewed by the following who were also involved in technical workshop meetings with the Applicant, Designing Engineer, Reviewing Engineer and Planning Director.
 - a. Building Official: The Plan appears to be in compliance with zoning regulations and further review of the complete building plans will determine code compliance.
 - b. Board of Health: When the building is fully designed applicant will submit to the Board of Health for fully compliant septic system. Floor drains will require an industrial waste holding tank. Board of Health reported a request to increase the size of the leach field. First design was for 2,100 sq. ft. based on number of office employees. The Designing Engineer included, upon request, the number of full-time employees for the garage area (nine [9] mechanics and maintenance personnel).
 - c. Conservation Commission: Approved based on no problems with the Plan. Replication for wetlands was permissible.
 - d. Fire Department: Chief noted a request to explore a minor exit and entrance off the main drive to the project on abutter's property for emergency purposes in case of blockage from the roadway.
 - e. Police Department: Chief noted same as Fire Department.
 - (Findings revealed that the abutter does not wish to sell or otherwise provide suggested provision.)
 - f. Lunenburg Water District: No comment due to the noted above provision for water supply.
 - g. Department of Public Works: Director approved Plan, but noted an inquiry should be made concerning any required State approval (see above Finding).
 - h. Sewer Commission: Sewer Commission requested a copy of Plan. There was no request for a sewer connection.
24. The Lunenburg Planning Board finds a Public Hearing was held and closed on May 23, 2011.

Grammatical correction made to #13 per Mr. Lockwood's suggestion (prohibited changed to cost-prohibitive).

Mr. Bakaysa and Ms. Bilotta noted #17 that refers to an increase in traffic. Mr. Johnson stated that he did a conservative estimate based on a new operation and not simply the transfer of the current operation. Applicant is hoping the business will grow. Minor traffic percentage increase will have no impact to level of service on Leominster-Shirley Road.

Mr. Bodkin Jr. questioned, per #21, if State approval would be necessary at any point. MA Highway informed Mr. Johnson that it is not in their jurisdiction – not a State road.

Mr. Bakaysa asked if width of ingress/egress took into account large vehicles. Mr. Johnson responded yes – 30 ft. pavement radius on each side, which is a MA Highway standard.

Mr. Bodkin Jr. inquired as to sightlines from Leominster-Shirley Road of trucks entering/exiting site. Sight distance measurements done in both directions for stopping sight and intersections. More than met MA Highway standards.

Mr. Saiia inquired as to the possible need of entrance/exit signage. Mr. Johnson responded the only signage will be a site sign relating to the operation.

Mr. Bakaysa read Directives into record.

1. The Applicant shall comply with Site Plan L-11632 prepared by David E. Ross Associates, Inc., 111 Fitchburg Road, P.O. Box 368, Ayer, MA 01432.
2. The Applicant shall fill out the Weekly Progress Notification Form (attached) on a weekly basis and submit each Monday to the Planning office. Form may be hand-carried to the Planning Office, sent via facsimile to 978-582-4353, or electronically to mbenson@lunenburgonline.com.
3. The Applicant shall submit and comply with Findings number twenty-three (#23) in regard to the Building Official, Board of Health and Conservation Commission.
4. The Applicant shall comply with recommendations from peer reviewer, Marsden Engineering as follows:
 - File a Notice of Intent with the Environmental Protection Agency (EPA).
 - Prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the Lunenburg Bylaw and the Nationwide Pollutant Discharge Elimination System (NPDES) General Permit.
5. The Applicant shall make corrections to the Plan for compliance as follows:
 - Drainage calculation shall be adjusted in the narrative standard #4 by adjusting the TSS Removal Calculation to show the sediment forbay credit.
 - Provide adjusted TSS calculation sheets again identifying the sediment forbay credit to show compliance with a forty-four percent (44%) removal prior to recharge.
6. The Applicant shall adhere to the Lunenburg Planning Board Monitoring and Construction Procedures (attached).
7. These Directives are subject to periodic review by the permit granting authority (Planning Board), or zoning enforcement officer to ensure compliance with the enumerated conditions. Non-compliance to these conditions may result in revocation of this Approval.

Summary Report

1. *Will not be injurious or dangerous to the public health or unduly hazardous because of traffic congestion, danger of fire or explosion or other reasons.*
2. *Will not have a material adverse effect on the value of land and buildings in the neighborhood or on the amenities of the neighborhood.*
3. *Will be operated with reasonable regard for order and sightlines, if an open use.*
4. *Will not product noise, vibration, smoke, dust, odor, heat or glare observable at the lot lines in amounts clearly detrimental to the normal use of adjacent property.*

Ms. Bilotta made Motion to accept Approval as submitted (with grammatical correction to Finding #13), with Findings and Directives, Second, Mr. Saiia, roll call vote, Mr. Saiia, aye; Mr. Lockwood, aye; Mr. Bodkin Jr., aye; Ms. Bilotta, aye; Mr. Bakaysa, aye. Motion passed.

Public Hearing closed at 7:05 PM.

Audio and visual recordings on file at Planning Office.